

REMARKS

Upon entry of the Amendment, claims 3, 66-72, 79, 82, 85, 88, 92, 95, 98, 101, 104, 107, 110, 113, 116, 119, 122, 125, 128, 131, 134, 137, 140-143, 146, 149, 152, 155, 158, 161, 164, 167 and 170-175, 177-189 will be all of the claims pending in the application.

I. Response to Claim Rejections - 35 U.S.C. § 112

Claims 3, 66-75, 79, 82, 85, 88-89, 92, 95, 98, 101, 104, 107, 110, 113, 116, 119, 122, 125, 128, 131, 134, 137, 140-146, 149, 152, 155, 158, 161, 164, 167, 170-184 are rejected under 35 U.S.C. §112, second paragraph, as assertedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Regarding claims 3, 89, 142, 172, 175, the Examiner states that the phrase "or the like" renders the claims indefinite because the claims include elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claims unascertainable.

The Examiner also states that claims 3, 66-75, 79, 82, 85, 88-89, 92, 95, 98, 101, 104, 107, 110, 113, 116, 119, 122, 125, 128, 131, 134, 137, 140-146, 149, 152, 155, 158, 161, 164, 167, 170-184 are vague and indefinite because of the term "capable of". The Examiner is unclear whether the material actually does attenuate radiation energy, because having the capability is not the same thing as actually performing the function, and the Examiner requires a positive recitation. The Examiner states that the same problem exists for "capable of forming a membrane filter" and "capable of generating chemiluminescent emission".

Claims 73, 74, 75, 89, 144, 145 and 176 are canceled herein thereby rendering the rejection as to these claims moot.

Claims 3, 65, 66, 70, 71, 142, 172 and 175 are amended to recite "sequence or composition". Since the sequence of a specific binding substance is known, the base length can be known. Therefore, one of ordinary skill in the art can readily ascertain the meaning and scope of the claims.

Further the claims are amended to recite "which attenuates radiation energy", "which generates chemiluminescent emission", and "a material adapted for forming a membrane filter" to address the Examiner's concerns regarding the phrase "capable of".

Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 112, 2nd paragraph.

II. Response to Claim Rejections - 35 U.S.C. § 102

Claims 3, 70-75, 79, 82, 85, 88, 89, 92, 95, 98, 113, 116, 119, 122, 125, 128, 131, 134, 174-178, and 182-184 rejected under 35 U.S.C. §102(e) as assertedly being anticipated by Wohlstadter et al (U.S. Patent No. 6,207,369 B1).

Applicants respectfully traverse the rejection and submit that Wohlstadter does not disclose, teach or suggest all elements of the present claims. Specifically, Wohlstadter neither discloses nor suggests a plurality of absorptive regions formed by charging an absorptive material in a plurality of holes formed in a substrate. Thus the present invention is not anticipated by Wohlstadter.

Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Amendment under 37 C.F.R. § 1.111
U.S. App. Ser. No. 09/918,500

Atty. Dckt. No. 65512

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

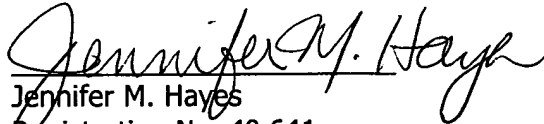
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Jennifer M. Hayes
Registration No. 40,641

Date: May 16, 2006